

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**EUGENE COLLINS
ADC # 138950**

PLAINTIFF

v.

No. 3:12-cv-208-DPM-BD


**MIKE ALLEN, Sheriff of Crittenden County;
TERESA BONNER, Chief Jailer,
Crittenden County; RON COLEMAN, Administrator,
Crittenden County Detention Facility; and
L. THORTON, Parole Supervisor, all sued in their
individual and official capacities**

DEFENDANTS

ORDER

Collins has objected to Magistrate Judge Beth M. Deere's recommendation, *Document No. 4*, that his complaint be dismissed with prejudice for failure to state a claim. On *de novo* review, FED. R. CIV. P. 72(b)(3), the Court adopts Judge Deere's recommendation with one modification: dismissal is without prejudice. This dismissal is a strike. 28 U.S.C. § 1915(g). An *in forma pauperis* appeal of this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge

24 October 2012